

4A-205. Parenting plan and child support worksheet; wage withholding order.

A. **Parenting Plan and Child Support Obligation.** A Parenting Plan and Child Support Obligation, Domestic Relations Form 4A-313 NMRA, is required:

(1) in a divorce proceeding if the parties are the parents of one or more one or more children under eighteen (18) years of age or a child under nineteen (19) years of age who is attending high school; or

(2) in a proceeding to establish the paternity of one or more children under eighteen (18) years of age or the paternity of a child under nineteen (19) years of age who is attending high school.

The court may require the use of a different parenting plan. The parties will need to check with the clerk of the court to determine the appropriate form prior to completing a parenting plan.

B. **Child support worksheet.** A child support worksheet must be completed before the judge will decide the amount of child support that will be required to be paid. *See* Section 40-4-11.1 NMSA 1978 for the child support worksheet. It is recommended that self-represented parties use the interactive child support worksheet form that is available on the Internet at www.nmcourts.com, click on "*Family Law Forms*". This form automatically determines the monthly child support obligation. If the parties have agreed upon a different child support obligation than the amount calculated using the child support worksheet, the parties must explain why a different amount is proposed by the parties. The judge will decide if a different child support amount may be paid.

C. **Wage withholding order.** The Wage Withholding Order, Domestic Relations Form 4A-341 NMRA, provides for wages to be withheld from a parent's paycheck for payment of child

support. If a party does not want child support to be withheld from the party's paycheck, the party must explain to the judge how child support will be paid. The court will sign a wage withholding order upon request of either party.

[Approved, effective November 15, 2002.]